



How Municipalities, Towns and Counties may be heard in the implementation of these new laws:

The Commission sets season dates and bag limits for the take of wildlife on an annual basis through Commission orders. Commission orders are entered during publicly-noticed Commission meetings throughout each calendar year. Commission meeting schedules and agendas can be found at www.azgfd.gov. For 2011-2012, the Commission will be considering Commission orders in the following sequence.

- **June 2011:** Dove, bandtail pigeon, sandhill crane; At this meeting, seasons were adopted for fall 2011 hunting seasons for these species
- **August 2011:** spring turkey, spring javelina, spring bear, spring buffalo, and waterfowl; at this meeting, seasons will be adopted for the spring 2012 hunting seasons for these species.
- **December 2011:** Pronghorn and elk; at this meeting seasons will be adopted for the fall 2012 hunting seasons.
- **April 2012:** Deer, fall turkey, bighorn sheep, fall javelina, fall buffalo, fall bear, mountain lion, small game (e.g. quail, rabbits), predators and furbearers (e.g. coyotes, fox, bobcat), and trapping. At this meeting seasons will be adopted for the fall 2012 hunting seasons for these species.
- **June 2012:** Dove, bandtail pigeon, sandhill crane, and Special License tags. At this meeting, seasons will be adopted for fall 2012 hunting seasons for these species.

The Department recognizes that patterns of human use and urban development can change rapidly. Municipalities, towns and counties are strongly encouraged to first communicate with local Game and Fish Regional personnel (contact information below). Regional personnel can also assist you in bringing your concerns to the Commission if a resolution has not been reached after coordination at the local level.

Thank you for reading about these recent changes to Arizona law that affect the lawful take of wildlife within counties, municipalities, parks and preserves. The Arizona Game and Fish Department wants to work closely with local governments so that any issues arising from these legal changes may be addressed and resolved quickly. If you have any questions regarding this letter or wish to discuss how the new laws will be implemented in your jurisdiction, please contact your local Department representative:

REGION I (SHOW LOW/PINETOP, AND THE WHITE MOUNTAINS AREA):

Dan Dymond
Law Enforcement Program Manager
(928) 367-4281
ddymond@azgfd.gov

REGION II (FLAGSTAFF AND NORTHERN ARIZONA):

Steve Andrews
Law Enforcement Program Manager
(928) 214-1255
sandrews@azgfd.gov

REGION III (KINGMAN AND PRESCOTT/ PRESCOTT VALLEY AREAS):

Karin Vega
Law Enforcement Program Manager
(928) 692-7700 ext. 2300
kvega@azgfd.gov

REGION IV (YUMA AND SOUTHWESTERN ARIZONA):

Jodi Niccum
Law Enforcement Program Manager
(928) 341-4044
jniccum@azgfd.gov

REGION V: (TUCSON, PIMA COUNTY AND SOUTHEASTERN ARIZONA)

Joe Sacco
Field Supervisor
(520) 591-2877
JSacco@azgfd.gov

REGION VI: (PHOENIX METROPOLITAN AREA)

Tyler VanVleet
Law Enforcement Program Manager
(480) 324-3542
tvanvleet@azgfd.gov



RECENT CHANGES TO ARIZONA LAW AFFECT THE AUTHORITY OF COUNTIES AND MUNICIPALITIES TO REGULATE THE TAKE OF WILDLIFE. THE ARIZONA GAME AND FISH DEPARTMENT WANTS TO ALERT YOU TO AMENDMENTS TO A.R.S. §§13-3107 AND 13-3108, AND FACILITATE A COOPERATIVE WORKING RELATIONSHIP WITH YOUR JURISDICTION AS WE IMPLEMENT THE AMENDMENTS TO THESE STATUTES.

WHILE THE DEPARTMENT DID NOT SPONSOR THE LEGISLATION THAT LED TO THESE NEW LAWS, WE DO FEEL THESE CHANGES ARE BENEFICIAL. THE INTENT OF THE NEW LAWS IS NOT TO OPEN EVERYTHING TO HUNTING, BUT TO PRESERVE THE ABILITY TO HUNT IN AREAS WHERE IT IS APPROPRIATE TO DO SO (FOR EXAMPLE, THOSE LARGE TRACTS OF OUTLYING LAND THAT HAVE BEEN ANNEXED BY MUNICIPALITIES BUT WON'T BE DEVELOPED FOR A NUMBER OF YEARS). THESE NEW LAWS PROVIDE A CONSISTENT AND TRANSPARENT APPROACH THROUGH THE ARIZONA GAME AND FISH COMMISSION FOR ADDRESSING POTENTIAL PUBLIC SAFETY CONCERNS AND ESTABLISHING A BALANCE AMONG THE NEEDS OF HUNTERS, WILDLIFE-RELATED RECREATIONAL USERS AND OTHER CITIZENS.





Effects of Law Changes

On April 29, 2011, Governor Jan Brewer signed SB 1334 into law (A copy is attached for your reference.) SB 1334 amends Arizona Revised Statutes §13-3107(C)(3) by permitting the discharge of a firearm within the limits of any municipality while lawfully taking wildlife during an open season as established by the Commission (Commission). This permission is subject to the limitations prescribed by Title 17 (hunting and fishing laws) and by Commission rules and orders. The amendment preempts the former authority of chiefs of police to approve or to close areas within municipal limits to lawful hunting with firearms.

SB 1334 also amends ARS §13-3108 by preempting any ordinance, rule or regulation of a political subdivision that limits the lawful take of wildlife during an open season in a manner inconsistent with Title 17 and rules and orders of the Commission.

In addition, last year the governor signed HB 2543 into law (amending ARS §13-3108). This bill preempted the authority of political subdivisions to limit or prohibit the discharge of firearms in those parks and preserves approved as hunting areas by the Commission.

What These Changes Mean to Your Jurisdiction

These laws transfer authority to regulate the take of wildlife in municipalities and counties to the Commission as follows:

- As of July 20 (the effective date of SB 1334) chiefs of police of municipalities and towns no longer have the authority to approve or to close areas within municipal limits to lawful hunting with firearms.
- Municipalities and counties may not enact any ordinance, rule or regulation limiting the lawful take of wildlife during an open season established by the Commission.

- Municipalities and counties generally may not prohibit the use of firearms, pneumatic devices (air guns) and archery equipment for lawfully taking wildlife. Municipalities and counties may not limit or prohibit the discharge of firearms in those parks and preserves approved as hunting areas by the Commission.

These new laws do not preempt municipalities and counties from adopting ordinances or regulations that:

- Restrict the discharge of a firearm within ¼ mile of an occupied structure.
- Prohibit the use of firearms or other hunting equipment when that equipment is not being used for the lawful take of wildlife pursuant to Commission order. For example, target practice is an activity that may be regulated by municipalities and counties.

How the Department Proposes to Implement the New Laws in Municipal and County Parks and Preserves

The Department recognizes there are areas within municipal and county parks and preserves where user conflicts could arise between various recreational uses and with certain methods of taking wildlife. As a result, the Department will recommend that the Commission adopt the following restrictions for taking wildlife in municipal parks, municipal preserves, county parks, and county preserves.

WITHIN MUNICIPAL PARKS AND PRESERVES:

- Generally an individual is prohibited from hunting within all municipal parks and preserves. There may be some situations where limited methods of take in rural municipal parks will not result in significant user conflicts, such as the take of small game with a pneumatic weapon or the control of nuisance wildlife using archery equipment. The Department will work with individual municipalities to identify any such opportunities.
- An individual may take fish, amphibians, crustaceans and mollusks, and reptiles (by hand or handheld implements) during open season as provided by Commission order during normal park hours.

- A person entering a municipal or county park for the purpose of taking wildlife shall declare that intention, if the park has an entry station in operation, and will still be subject to any entry fees and regulations applicable to the use of a municipal or county park or preserve.

WITHIN COUNTY PARKS AND PRESERVES:

An individual is prohibited from hunting within all county parks and preserves, with the following exceptions. The Department will recommend the Commission adopt open hunting seasons, many with limited weapon types (e.g. archery only) in the following county parks:

- **Maricopa County:** Lake Pleasant, White Tank Mountains, McDowell Mountain, and Estrella Mountain Regional Park.
- **Pima County:** A-7 Ranch, Sopori Ranch (except posted portions around the headquarters), Empirita Ranch, Rancho Seco, Sands Ranch, Clyne Ranch, Diamond Bell Ranch, Kings 98 Ranch, Marley Ranch, Buckelew Ranch, Verdugo, Bee Ranch, Mordka Ranch, Six Bar Ranch, Bar V Ranch, Lords Ranch, Oracle Ridge, Carpenter Ranch, Cochie Canyon, Tortolita Mountain Park, Old Hayhook, Tucson Mountain Park (archery hunting only)

Furthermore, within the county parks listed above the Department will recommend that the Commission adopt the following additional restrictions:

- An individual may not take any wildlife within ¼ mile of an occupied building, boat ramp, shooting range, golf course, developed campground or picnic area, except fish, amphibians, crustaceans and mollusks, and reptiles (by hand or handheld implements) during open seasons. This recommendation, if adopted by the Commission, represents a substantially more restrictive approach than ARS §17-309(A)(4), which prohibits the discharge of a firearm while taking wildlife within ¼ mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner.
- A person entering a county park for the purpose of taking wildlife shall declare that intention and will still be subject to any entry fees



and regulations applicable to use of a municipal or county park or preserve. (Commission Rule R12-4-301).

- A person may not trap in a county park except under the provisions of ARS §17-239.

How the Department Proposes to Implement the New Laws Within Municipal Limits (Excluding Parks and Preserves)

- **For Valley Metropolitan Area:** A no hunting area within the Metropolitan Phoenix area, excluding county islands where hunting could occur lawfully. Within those county islands, the Department recommends shotgun shooting shot only hunting.
- **For Tucson Metropolitan Area:** No hunting with firearms on private lands within a municipal boundary in game management unit 38M. This recommendation will have the effect of limiting hunting with firearms (shotgun shooting shot or rimfire) to state and public lands that have been annexed by municipalities within Unit 38M.
- **For Flagstaff Metropolitan Area:** No hunting with firearms on private lands within municipalities in game management unit 11M. This recommendation will have the effect of limiting hunting with firearms (shotgun shooting shot only) on state and public lands that have been annexed by municipalities within Unit 11M.

In addition, the following hunting restrictions currently exist in Title 17 and apply to all areas of the state:

- A person may not discharge a firearm while taking wildlife within ¼ mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident. (ARS §17-309(A)(4))
- A person may not trespass on private property for taking wildlife if that property is posted ‘no hunting’ or if a person is asked to leave by the owner . (ARS §17-304)

